

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Information Disclosure Statement

The Applicant respectfully requests that the Examiner indicate that the references cited in the Information Disclosure Statement filed on December 4, 2003 has been reviewed by returning an initialed copy of the PTO-1449 Form.

Disposition of the Claims

Claims 1-8, 10-16, 18-23, and 25-37 are pending in the present application. Claims 1, 18, 28, 29, 35, 36, and 37 are independent. The remaining claims depend, directly or indirectly, from claims 1, 18, and 29.

Claim Amendments

Claims 1, 18, 28, 29, 33, 35, 36, and 37 have been amended by way of this reply. Specifically, the limitation "wherein the security agent and the agent side transfer agent are unable to access the UBC" is removed with this response. Further, claims 1, 18, 28, 29, 35, 36, and 37 have been amended to include the limitation "wherein verification comprises verifying the end user is assigned the security device while the end user is in possession of the security device." Additionally, claim 1 has been amended to clarify the invention by correcting antecedent basis issues. Support for these amendments may be found in at least paragraphs [0038], [0048], and [0049]. No new subject matter has been added by way of these amendments.

Rejections under 35 U.S.C. § 112

Claims 1-8, 10-16, 18-23, and 25-37 are rejected under 35 U.S.C. § 112, as failing to comply with the written description requirement. Specifically, the Examiner states that the limitation “wherein the security agent and the agent-side transfer agent are unable to access the UBC” is not found in the specification. Claims 1, 18, 28, 29, 33, 35, 36, and 37 have been amended to remove the aforementioned limitation. Accordingly, the rejection is moot in view of the amended claims.

Rejections under 35 U.S.C. § 103

Claims 1, 2, 5, 7, 11-13, 18-20, 26, 29-32, 36, and 37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over EP 0820207 A2 (hereinafter referred to as “Lipsit”) in view of U.S. Patent No. 6,542,729 (“Chmaytelli”). To the extent this rejection applies to the amended claims, this rejection is respectfully traversed.

The claimed invention relates to unblocking a security device that issued to an end user where the end user is in possession of the security device. Specifically, when the security device is blocked, a security agent is contacted and given information about the end user and security device. As disclosed in at least one embodiment of the invention, the security agent (using the Schlumberger Smart Port (SSP)) verifies the end user exists and is the user assigned the particular security device while the end user is in possession of the security device. (*See, e.g.*, paragraphs [0038], [0048] and [0049] of the Instant Specification). Only after the security agent has verified that the end user exists and is assigned the particular security device in the end user’s possession, is an unblock authorization code (UAC) generated. (*See, e.g.*, paragraph [0050] of the Instant Specification). Accordingly, the invention as recited in the claims requires, in part, that a UAC is generated after verification by the security agent, wherein verification includes verifying the end user is assigned the security device while the end user is in possession of the security device.

Turning to the rejection, to establish a *prima facie* case of obviousness “...the prior art reference (or references when combined) must teach or suggest all the claim limitations.” (*See* MPEP §2143.03). Further, “all words in a claim must be considered in judging the patentability of

that claim against the prior art.” (See MPEP §2143.03). The Applicant respectfully asserts that the references, when combined, fail to teach or suggest all the claim limitations of the amended claims.

Lipsit does not teach or suggest generating an Unblock Authorization Code (UAC) after verification by the security agent, wherein verification comprises verifying the end user is assigned the security device while in possession of the security device. Specifically, the portion of Lipsit relied upon by the Examiner to teach generating an Unblock Authorization Code (UAC) generated after verification by the security agent merely teaches verifying the billing and credit information of the end user. (See Office Action Mailed November 15, 2005, p. 14 and Lipsit, p. 5 ll. 47-50). Even if interpreted as broadly as possible, the portion cited by the Examiner only involves verifying the billing and credit information of the consumer to verify the consumer’s ability to order service (*not* a security device) from and open an account with the subscription service provider. In fact, the portion of Lipsit cited by the Examiner is completely silent regarding any sort of relationship between the end user (*i.e.*, consumer) and the security device (*i.e.*, the phone) much less teaching or suggesting that the consumer is *assigned* a phone. Accordingly, Lipsit does not teach generating an Unblock Authorization Code (UAC) generated after verification by the security agent, wherein verification comprises verifying the end user is assigned the security device while the security device is in possession of the security device as recited in the amended claims.

Moreover, in the portion relied upon by the examiner, the end user is not even in possession of the security device during verification as clearly required by the amended claims. In fact, Lipsit clearly discloses (in direct contradiction to the claims as amended) that only after the service is ordered and the verification of the billing and credit is performed, the device is sent to the client. (See, *e.g.*, p. 5 ll. 42-50 “For purposes of discussing FIGs. 3 through 6, it will be presumed that a customer who wishes to subscribe to a wireless communication service, calls a subscription service provider to request the service. The subscription service provider opens an account for the customer by requesting the typical information such as name, billing address, payment method, assent to terms and conditions of service, etc. The subscription service provider then tells the customer to *expect the phone* by overnight delivery, second day delivery, etc.” [emphasis added]).

Accordingly, without possession of the security devices, Lipsit cannot teach or suggest the claims as amended.

Furthermore, the only verification arguably taught by Lipsit when the client arguably has possession of the device is performed during the activation of the device. However, in **all** four separate scenarios for activation disclosed by Lipsit, all information is known (*i.e.*, generated/created/obtained) **before** activation of the device. (*See, e.g.*, p. 5 ll. 42 – p. 7 ll. 38). Thus, no Unblock Authorization Code (UAC) could be generated **after** verification as recited in the amended claims.

As shown above, all information is known prior to verification of the end user when the end user is in possession of the security device. Accordingly, Lipsit may not be used to teach or suggest “generating an Unblock Authorization Code (UAC) after verification by a security agent, wherein verification comprises verifying the end user is assigned the security device while the end user is in possession of the security device” as recited in the claims of the present invention. Further, Chmaytelli does not teach that which Lipsit lacks. Specifically, Chmaytelli is silent with respect to verifying the end user and Unblock Authorization Codes. Accordingly, Chmaytelli cannot teach verifying the end user is assigned the security device while the end user is in possession of the security device as recited in the claims.

In view of the above, Lipsit and Chmaytelli, whether considered together or separately, do not support the rejection of amended independent claims 1, 18, 29, 36, and 37. Dependent claims 2, 5, 7, 11-13, 19, 20, 26, and 30-32 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 3, 4, 22, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Menezes, Alfred J. Handbook of Applied Cryptography (hereinafter referred to as “Menezes”). Claims 3, 4, 22, 23 depend on amended independent claims 1 and 18. To the extent this rejection still applies, this rejection is respectfully traversed.

As shown above, neither Lipsit nor Chmaytelli teach generating an unblock authorization code (UAC) after verification by a security agent, wherein verification comprises

verifying the end user is assigned the security device while the end user is in possession of the security device as recited in the claims. Further, Menezes does not teach that which Lipsit and Chmaytelli lack. Specifically, Menezes only discloses the use of encryption and password verification for a given user ID. (*See, e.g.*, Menezes section 10.2, page 388). Menezes does not generate anything after verification of the password. Accordingly, Menezes cannot be used to teach generating a UAC after verification by a security agent.

In view of the above, Lipsit, Chmaytelli, and Menezes, whether considered together or separately, do not support the rejection of amended independent claims 1 and 18. Dependent claims 3, 4, 22, and 23 which depend on claims 1 and 18 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 6 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of U.S. Patent Application Publication No. 2002/0112156 (hereinafter referred to as “Gien”). Claims 6 and 21 are dependent on amended independent claims 1 and 18. To the extent this rejection still applies, this rejection is respectfully traversed.

As shown above, neither Lipsit nor Chmaytelli teach generating an unblock authorization code (UAC) after verification by a security agent, wherein verification comprises verifying the end user is assigned the security device while the end user is in possession of the security device as recited in the claims. Further, Gien does not teach that which Lipsit and Chmaytelli lack. This is evidenced by the fact that Gien is only relied upon to teach the security device is a smart card. (*See, e.g.*, Office Action mailed November 15, 2005, p. 7).

In view of the above, Lipsit, Chmaytelli, and Gien, whether considered together or separately, do not support the rejection of amended independent claims 1 and 18. Dependent claims 6 and 21 which depend on claims 1 and 18 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 10 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of U.S. Patent Application Publication No. 2002/0138553 (hereinafter referred to as “Binder”). Claims 10 and 25 are dependent on amended

independent claims 1 and 18. To the extent this rejection still applies, this rejection is respectfully traversed.

As shown above, neither Lipsit nor Chmaytelli teach generating an unblock authorization code (UAC) after verification by a security agent, wherein verification comprises verifying the end user is assigned the security device while the end user is in possession of the security device as recited in the claims. Further, Binder does not teach that which Lipsit and Chmaytelli lack. Specifically, Binder does not even disclose an unblock authorization code (UAC). Accordingly, Binder cannot be used to teach generating an unblock authorization code after verification by a security agent, wherein verification comprises verifying the end user is assigned the security device while the end user is in possession of the security device as recited in the claims.

In view of the above, Lipsit, Chmaytelli, and Binder, whether considered together or separately, do not support the rejection of amended independent claims 1 and 18. Dependent claims 10 and 25 which depend on claims 1 and 18 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 8, 14-16 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Menezes. Claims 8, 14-16, and 27 are dependent on amended independent claims 1 and 18. To the extent this rejection still applies, this rejection is respectfully traversed.

As shown above, Lipsit, Chmaytelli, and Menezes, whether considered together or separately, do not support the rejection of amended independent claims 1 and 18. Dependent claims 8, 14-16, and 27 which depend on claims 1 and 18 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Amended independent claim 28 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Binder. To the extent this rejection still applies, this rejection is respectfully traversed.

Amended independent claim 28 includes the limitation “generating an unblock authorization code after verification by a security agent, wherein verification comprises verifying

the end user is assigned the security device while the end user is in possession of the security device.” As shown above, Lipsit, Chmaytelli, and Binder do teach or suggest generating an unblock authorization code after verification by a security agent, wherein verification comprises verifying the end user is assigned the security device while the end user is in possession of the security device as recited in the claims.

In view of the above, Lipsit, Chmaytelli, and Binder, whether considered together or separately, do not support the rejection of amended independent claim 28. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 33 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of U.S. Patent Application Publication No. 2003/0013434 (hereinafter referred to as “Rosenberg”). Claim 33 is dependent on amended independent claim 29. To the extent this rejection still applies, this rejection is respectfully traversed.

As shown above, neither Lipsit nor Chmaytelli teach generating an unblock authorization code (UAC) after verification by a security agent, wherein verification comprises verifying the end user is assigned the security device while the end user is in possession of the security device as recited in the claims. Further, Rosenberg does not teach that which Lipsit and Chmaytelli lack. Specifically, Rosenberg does not even disclose an unblock authorization code (UAC). Accordingly, Rosenberg cannot be used to teach generating an unblock authorization code after verification by a security agent, wherein verification comprises verifying the end user is assigned the security device while the end user is in possession of the security device as recited in the claims.

In view of the above, Lipsit, Chmaytelli, and Rosenberg, whether considered together or separately, do not support the rejection of amended independent claim 29. Dependent claim 33 which depends on claim 29 is allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 34 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of U.S. Patent No. 5,949,882 (hereinafter referred to as

“Angelo”). Claim 34 is dependent on amended independent claim 29. To the extent this rejection still applies, this rejection is respectfully traversed.

As shown above, neither Lipsit nor Chmaytelli teach generating an unblock authorization code (UAC) after verification by a security agent, wherein verification comprises verifying the end user is assigned the security device while the end user is in possession of the security device as recited in the claims. Further, Angelo does not teach that which Lipsit and Chmaytelli lack. This is evidenced by the fact that Gien is only relied upon to teach verifying the security device is not already blocked. (*See, e.g.*, Office Action mailed November 15, 2005, p. 11).

In view of the above, Lipsit, Chmaytelli, and Angelo, whether considered together or separately, do not support the rejection of amended independent claim 29. Dependent claim 34 which depends on claim 29 is allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Amended independent claim 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Rosenberg in further view of Angelo. To the extent this rejection still applies, this rejection is respectfully traversed.

Amended independent claim 35 includes the limitation “generating an unblock authorization code after verification by a security agent, wherein verification comprises verifying the end user is assigned the security device while the end user is in possession of the security device.” As shown above, Lipsit, Chmaytelli, Rosenberg and Angelo fail to teach or suggest generating an unblock authorization code after verification by a security agent, wherein verification comprises verifying the end user is assigned the security device while the end user is in possession of the security device.

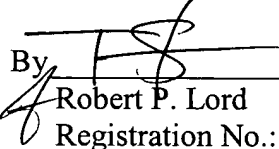
In view of the above, Lipsit, Chmaytelli, Rosenberg, and Angelo, whether considered together or separately, do not support the rejection of amended independent claim 35. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Applicant believes no fee is due with this response. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09469.007001).

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Respectfully submitted,

By  #45,079
Robert P. Lord THOMAS SCHERER
Registration No.: 46,479
OSHA • LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)
Attorney for Applicant